

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES SHINDLER,

Plaintiff,

v.

CHILD PROTECTIVE SERVICES,

Defendant.

Case No. 09-13460

Honorable Nancy G. Edmunds

ORDER OF DISMISSAL

Plaintiff filed a *pro se* complaint on September 1, 2009, against Defendant seeking relief from various state court decisions in 2004, 2006, and 2008, all brought by Michigan's Child Protective Services against Plaintiff. Plaintiff's caption and cover sheet identify his complaint as one asserting a violation of his civil rights as a prisoner under 42 U.S.C. § 1983. Review of Plaintiff's complaint reveals no allegations supporting claims under 42 U.S.C. § 1983. Rather, as set out in his "Statement of Fact" and "Relief," Plaintiff's suit appears to be an attempt to appeal decisions rendered in previous state-court proceedings brought against him by Michigan's Child Protective Services agency. Because Plaintiff's suit is essentially an appeal from various state-court decisions, his Complaint is DISMISSED. "The federal district courts do not hear appeals from state courts." *Givens v. Homecomings Financial*, No. 07-2359, 2008 WL 2121008, *1 (6th Cir. May 20, 2008). Pursuant to the *Rooker-Feldman* doctrine, "lower federal courts lack subject matter jurisdiction to review the decisions of state courts." *Id.* at *1 (citing *D.C. Ct. of App. v.*

Feldman, 460 U.S. 426, 476 (1983); *Rooker v. Fid. Trust Co.*, 263 U.S. 413, 416 (1923)). Although “the application of *Rooker-Feldman* is confined to ‘cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments,’” Plaintiff’s lawsuit “fits squarely within this narrow range of cases over which jurisdiction does not exist.” *Id.* at **1-2 (quoting *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005)).

Plaintiff appears to be asking this Court issue an order vacating earlier state-court orders concerning his minor son, to have this Court issue an injunction precluding Child Protective Services from further prosecutions against Plaintiff, and to have this Court issue an order requiring Child Protective Services to pay Plaintiff damages in an amount that allows Plaintiff to pay for living arrangements for his son until he is released from prison. “Because the point of this suit is to obtain a federal reversal of a state court decision, dismissal on the grounds of *Rooker-Feldman* [is] appropriate.” *Id.* at *2.

Plaintiff’s complaint is hereby DISMISSED WITH PREJUDICE.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: September 8, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 8, 2009, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager